



Sebree Station
9000 Highway 2096
Robards, KY 42452
www.bigrivers.com

October 31, 2019

RE: Green Surface Impoundment (AI# 4196 & KPDES# KY0001929): Notification of intent to close the Green Surface Impoundment (Outfall #009) utilizing alternative closure requirements in accordance with 40 CFR 257.103.

The Green Surface Impoundment (referred to as the Green Ash Pond) at Big Rivers Electric Corporation - Sebree Station will close in accordance with 40 CFR 257.101(b)(1) and (b)(4). Prior to closure, Coal Combustion Residuals (CCR) material will continue to be managed in the Green Ash Pond due to an absence of available alternative disposal capacity as allowed under 40 CFR 257.103(a)(1). Per 40 CFR 257.103(a)(3), the ash pond must cease receiving CCR material no later than five (5) years after making this initial certification (i.e. October 31, 2024). Subsequently, per 40 CFR 257.102(f)(1)(ii), closure activities must be completed within five (5) years of commencing the closure process (i.e. October 31, 2029).

The following paragraphs are provided to document the necessary information in complying with conditions of 40 CFR 257.103(a)(1)(i-iv):

40 CFR 257.103(a)(1)(i) - No alternative disposal capacity is available on-site or off-site.

The Green Ash Pond is the disposal outlet of sluiced bottom ash and economizer ash. The existing bottom ash system utilizes sluice pumps, jet pumps and clinker grinders to sluice the ash to the pond. The bottom ash and economizer ash both discharge into the east side of the ash pond. Maintenance dredging is performed annually to control ash levels within the pond. Dredged CCR material is stockpiled within the pond for dewatering. Once dewatered, the ash is transported to the on-site landfill for disposal. Water from the ash pond is discharged to the Green River via permitted Outfall #009 under KPDES Permit KY0001929.

The Green Ash Pond is the only active CCR surface impoundment located at Green Station that is capable of receiving wet-generated CCR material. As provided above, the Green Ash Pond is scheduled for closure under 40 CFR 257.101(b)(1) and (b)(4). Green Station has no other on-site capacity for disposing wet-generated CCR material. In the facility's July 2018 KPDES permit, the Kentucky Division of Water set July 1, 2023 as the "as soon as possible" date for complying with the Effluent Limitation Guidelines for no discharge of bottom ash transport water to the Green Ash Pond. That permit confirmed the schedule for the analysis, design, approvals, procurement, and construction of the equipment to convert to a dry bottom ash handling system.

It is not feasible to safely transport wet-generated CCR material for off-site disposal. Per Federal Register at 80 Fed. Reg. 21302, 21423 (Apr. 17, 2015), "*The Agency recognizes that the circumstance may arise where a facility's only disposal capacity, both on-site and off-site, is in a CCR unit that has triggered the closure requirements in § 257.101(a), (b)(1), or (d). As a result, the facility may be faced with either violating the closure requirements in § 257.101 by continuing to place CCR in a unit that is required to close, or having to cease generating power at that facility because there is no place in which to dispose of the resulting waste. For example, while it is possible to transport dry ash off-site to alternate disposal facility that simply is not feasible for wet-generated CCR. Nor can facilities immediately convert to dry handling systems. As noted previously, the law cannot compel actions that are physically impossible, and it is incumbent on EPA to develop a regulation that does not in essence establish such a standard*".

40 CFR 257.103(a)(1)(ii) - The owner must make efforts to obtain additional capacity.

Green Station is currently planning changes to the plant's ash handling system. The current bottom ash handling system is being converted from the existing ash sluicing system to an under-boiler drag chain conveyor system. Economizer ash, which is also sluiced, will be tied into the existing dry fly ash handling system. As noted above, the ELG project schedule was approved in the facility's July 2018 KPDES permit.

The existing ash pond will be replaced with a new, lined Water Mass Balance (WMB) Pond. This includes closure of the existing pond through removal of CCR material and re-purposing the

26-acre area to a new WMB pond. The new WMB pond includes a chemical treatment system to aid in settling constituents to meet proposed discharge requirements.

An overview of the project described above will be provided in the *Green Station - CCR/ELG Compliance Project Definition Report* that is being prepared by Burns and McDonnell Engineering Company, Inc. The final report is expected to be issued to Big Rivers by November 15, 2019, and will set forth more information on the remaining efforts to convert to a dry handling system by the "ASAP" date set in the KPDES permit.

A Certificate of Public Convenience and Necessity (CPCN) application for the project is expected to be submitted to the Kentucky Public Service Commission (KPSC) for approval in early 2020. KPSC approval of the CPCN is anticipated by June 2020. Approval from the PSC is required prior to initiating detailed project design and technical specification activities. Therefore, full notice to proceed with engineering design and technical specifications is currently scheduled for August 2020. Other anticipated project milestone dates are provided in the table below.

The conversion and installation of these systems is expected to accommodate the ceasing of disposal of wet-generated CCR in the ash pond by approximately June 2023, consistent with the approved ELG compliance schedule. An annual progress report will be prepared documenting progress in the engineering, PSC approval, and construction of the dry handling system. Based upon this schedule for the conversion project, it is also anticipated that closure of the Green Ash Pond will be complete by November 2026.

Anticipated milestones of the proposed project are as follows:

Remaining Project Milestones

<u>Activity</u>	<u>Date</u>
Commence preparing Certificate of Public Convenience and Necessity (CPCN) application for submittal to Kentucky Public Service Commission.	December 2019
Expected CPCN Approval	June 2020

<u>Activity</u>	<u>Date</u>
Full Notice to Proceed – Project Engineering	August 2020
Award of Long Lead Equipment	September 2020
Commence Construction	September 2021
Green Station, Unit 2 Outage Commence	March 2022
Green Station, Unit 1 Outage Commence	March 2023
Ash Pond Closure/WMB Pond Commencement	March 2023
Commercial Operation Date of Dry Ash Handling Systems	June 2023
Ash Pond Closure/WMB Pond Complete	November 2026

40 CFR 257.103(a)(1)(iii): The owner must remain in compliance with all other requirements.

Big Rivers keeps records that demonstrate compliance with 40 CFR 257 in the facility's operating record. Such documentation is posted on the Big Rivers Electric Corporation CCR Rule Compliance and Data Information web site.

40 CFR 257.103(a)(1)(iv): The owner must prepare an annual progress report.

Big Rivers will prepare the initial annual progress report as required under 40 CFR 257.103(a)(1)(iv) and (c)(2). The progress report will be prepared no later than 13 months after completing this notification. Subsequent progress reports will be prepared every 12 months thereafter.